

REMARKS

Applicant has discovered a pre-moistened wet wipe comprising a nonwoven web, or substrate, of fibers bonded with a water soluble or redispersible polymeric binder composition and in contact with an aqueous lotion composition that will not dissolve or redisperse the binder off the nonwoven web, which lotion composition is also substantially free of boric acid and its salt derivatives. The aqueous lotion composition contains one or more compounds which preferentially tie up, or bind, the water in the aqueous lotion, i.e., water-binding compounds, so that the water does not substantially dissolve any water soluble fraction of the nonwoven binder which in turn would cause redispersal of any other portion of the nonwoven binder resulting in disintegration of the web. The water-binding compound is present in sufficient quantity so as to bind enough of the water in the lotion composition to afford a nonwoven substrate having a wet tensile strength at least as great as that achieved by the same bonded nonwoven substrate in contact with an aqueous 4 wt% boric acid solution.

The pre-moistened wipe exhibits long shelf life, good tensile strength in the aqueous lotion, good dry tensile strength required for manufacturing, freedom from having to use any boric acid or its borate salt derivatives in the aqueous lotion, and rapid disintegration of the disposed, used wipe under the ambient conditions of typical water-containing toilets.

The Examiner has required restriction to one of two inventions, namely,

- I. Claims 1-20, and
- II. Claim 21.

Applicant affirms the election to prosecute Claims 1-20 of Invention I in the present application.

Claims 1-20 were rejected under 35 USC 112, second paragraph, for the reasons set forth in the Office Action. Claims 1, 3 and 11 have been amended to recite "its borate salt derivatives". Claim 1 has also been amended to recite the aqueous composition contains less than 0.05 wt% boric acid and its borate salts. Support for these amendments can be found at Page 9/13-15.

In view of the amendments to Claims 1, 3 and 11, Applicant requests reconsideration of the 112 rejection and its withdrawal.

Claims 1, 2, 4, 5, and 7-15 were rejected under 35 USC 102b as anticipated by Richards (US 5,629,081). Applicant submits Richards neither teaches nor suggests the subject matter of these claims. Richards is deficient with respect to any teaching or suggestion of an aqueous composition for the wet wipes that contains less than 0.05 wt% boric acid or its borate salt derivatives. The Abstract and Col 2/64-67, 3/61-65, and 4/45-53 of Richards teach the need/requirement for boric acid albeit at low levels of about 0.1 to 0.9 wt%.

Claims 3, 6, and 16-20 were rejected under 35 USC 103a as unpatentable over Richards in view of Daniels (US 4,245,744). Applicant submits such combination of references neither teaches nor suggests the claimed subject matter as a whole. The deficiency of the primary reference Richards, namely, no teaching of an aqueous composition for the wet wipes that contains less than 0.05 wt% boric acid or its borate salt derivatives, is not remedied by Daniels which the Examiner states "describes impregnated with PVA and some boric acid and metal salts". Richards requires boric acid 0.1 to 0.9 wt% and Daniels teaches "certain water soluble salts known to react with polyvinyl alcohol to effect precipitation or gelling thereof, may be employed". Applicant claims the use of "water-binding compounds", not polyvinyl alcohol precipitating or gelling compounds. Such combination of Richards and Daniels as applied by the Examiner does not teach or suggest the claimed subject matter as a whole, i.e., wet wipes in contact with an aqueous composition that contains less than 0.05 wt% boric acid or its borate salt derivatives.

In view of the above remarks, Applicant requests reconsideration and withdrawal of the 102 and 103 rejections.

Appl. No. 09/934.867

Believing the application is now in condition for allowance, Applicant solicits an action to that effect.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael Leach".

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